

## CITY COUNCIL AGENDA MEMORANDUM

### **SUBJECT**

Resolution No. 8528, authorizing execution of a contract with Cornerstone General Contractors, Inc., to construct the Visitor Center and site improvements at the Bellevue Botanical Garden (BBG).

### **FISCAL IMPACT**

This action obligates the City to an amount up to \$9,358,578, including Washington State sales tax (WSST) and a construction contingency. Bellevue Botanical Garden Development (P-AD-85) is an approved capital project in the adopted 2013-2019 CIP Plan, and this contract will be funded by a combination of Parks Levy, General CIP, and project fundraising by the Bellevue Botanical Garden Society (BBGS) as summarized in the table below:

<b><u>Estimated Funding Sources</u></b>	
Parks Levy (P-AD-85)	\$3,700,000
General CIP (P-AD-85)	2,595,310
BBGS Fundraising to date (P-AD-85)	1,611,499
BBGS Pledged Income (P-AD-85)	<u>1,451,769</u>
Contract Total	<b>\$9,358,578</b>

### **STAFF CONTACTS**

Patrick Foran, Director, 452-5377  
Glenn Kost, Planning Manager, 452-5258  
Ken Kroeger, Project Coordinator, 452-4624  
*Parks & Community Services Department*

### **POLICY CONSIDERATION**

#### **City Code:**

Bellevue City Code 4.28 provides for the fair and equitable treatment of persons in the purchasing process. Because of the amount of the purchase, Council approval is required.

### **BACKGROUND, SCOPE OF WORK AND TIMING**

In November 2008, voters approved the Parks and Natural Areas Levy that included funding for new development at the BBG. In January 2009, Council adopted the BBG Master Plan Update (Resolution No. 7868) that included the new Visitor Center and expanded parking lot as high priority projects. On November 2, 2009, Council authorized a contract to design and permit plans for the new facilities. Plans are now complete and permitted, and the Site Plan is included as **Attachment 1**. The Bellevue Botanical Garden Society (BBGS) has been actively working on a capital campaign to assist with funding project construction. In December 2012, Council approved the 2013-19 CIP Plan that included funds for the construction of the Visitor Center project.

This project entails construction of a new Visitor Center, expanded parking lot, and site improvements at the BBG, located at the Wilburton Hill Park, 12001 Main Street. The scope of work includes the construction of an 8,500 square-foot Visitor Center that includes a visitor orientation space, multi-use classrooms, gift shop, restrooms, catering kitchen, meeting room, office space, and storage. The existing Visitor Center (Shorts' House) will remain. The current

caretaker's house will be demolished and the existing Sharp's Cabin relocated westward to a renovated Waterwise Garden.

The site work includes new entry drives, street frontage improvements, parking for 119 cars, trail connections, and picnic tables. Existing gardens will remain, and a new Iris Garden and Fern Court will be created, along with wetland mitigation planting and extensive landscape plantings throughout the parking lot and around the buildings.

The Visitor Center facility is a single story structure integrated into the site to preserve the existing gardens and to maintain the residential scale of the structures. It has been developed through an ongoing partnership with the Bellevue Botanical Garden Society and designed to meet the US Green Building Council - LEED standards.

Construction is planned to start in May 2013, with completion expected by summer 2014. The Botanical Garden and current Visitor Center will remain open throughout construction, though the construction area will be closed to the public. Visitors will be directed to the Wilburton Hill Park parking lot and enter the garden via the Lake-to-Lake Trail. Staff and the Garden Society are currently reviewing options to modify the 2013 Garden d'Lights event.

#### **BELLEVUE BOTANICAL GARDEN SOCIETY FUNDRAISING**

Awarding the construction contract as recommended recognizes nearly \$3.1 million in capital fundraising for the Visitor Center project, which includes \$1,611,499 in cash already received for the project plus \$1,451,769 in pledged income. All pledged income includes written commitments from the donors, and also includes the remaining four years of a 5-year, \$1 million commitment from the BBGS's annual Garden d'Lights event (see Attachment 2). The BBGS "Growing a Living Legacy" campaign has already contributed \$633,000 toward the construction of the Ravine Garden suspension bridge. The BBGS has reaffirmed its commitment to raise \$5 million, vowing to achieve their goal "no matter how long it may take." The BBGS and staff are confident that remaining funds will be raised to achieve their goal. Much of the pledged income is expected to be received prior to completing the project. However, inherent in any fundraising campaign is a risk that 100% of the income pledged to the project may not be received. If that occurs, modifications within the 7-year Parks CIP can be managed. By signing the contract, the City accepts the risk of funding the remaining portion of the contract until sufficient funds are received to close the gap. Funds raised in excess of the Visitor Center contract will be applied by BBGS toward other capital needs of the garden.

#### **BID PROCESS & ANALYSIS**

The Advertisement for Bids (Bid No. 13005) was published on January 14 and 28 in the *Seattle Daily Journal of Commerce* and *The Seattle Times*. Bid documents were also placed online through Builders Exchange. Two additive alternatives were included in the bids: Alt. 1 – Interior Shorts House Improvements; Alt. 2 – Vehicle Charging Stations. Neither are essential to complete the Visitor Center project, but desirable if sufficient funds were available.

Bids were due and opened February 12, 2013. The following bids were submitted:

<b>Bidder</b>	<b>Base Bid Amount</b>	<b>Add Alt 1</b>	<b>Add Alt 2</b>
Cornerstone Gen. Contractors, Inc.	\$9,358,578	\$114,403	\$43,450
Bristol Construction	9,491,448	136,875	27,375
Corp Inc. Construction	9,984,902	147,825	54,750
Bayley Construction	10,094,332	107,310	40,515

Kassel & Associates	10,103,533	45,990	41,610
Pease Construction	10,238,064	85,180	84,742
<b>Engineer's Estimate</b>	<b>\$8,946,653</b>	<b>\$148,000</b>	<b>\$15,000</b>

After reviewing the bid, background, references, and previous projects of Cornerstone General Contractors, Inc., staff believes that they are capable of performing the required work per the plans and specifications. Due to bid price received, staff does not recommend either additive alternative at this time, as neither is essential to the project.

To the best of staff's knowledge, the BBG Visitor Center project can be constructed within the bid amount and in the time specified. However, it may be necessary to authorize minor changes because of unknown circumstances. Only additional work necessary for the complete and proper development of the project will be authorized.

In addition to this contract, total capital costs will also include approximately \$700,000 in project-related costs (permit, testing and inspection fees, utility fees, contract management, furnishings and equipment). There are sufficient funds available in P-AD-85 to complete this necessary work.

#### **EFFECTIVE DATE**

If adopted by Council, this Resolution will become effective immediately.

#### **OPTIONS**

1. Adopt Resolution No. 8528, authorizing execution of a contract with Cornerstone General Contractors, Inc., in the amount of \$9,358,578, to construct the Visitor Center and site improvements at the Bellevue Botanical Garden.
2. Do not adopt Resolution No. 8528, and provide alternative direction to staff.

#### **RECOMMENDATION**

Adopt Resolution No. 8528, authorizing execution of a contract with Cornerstone General Contractors, Inc., in the amount of \$9,358,578, to construct the Visitor Center and site improvements at the Bellevue Botanical Garden.

#### **MOTION**

Move to adopt Resolution No. 8528, authorizing execution of a contract with Cornerstone General Contractors, Inc., in the amount of \$9,358,578, to construct the Visitor Center and site improvements at the Bellevue Botanical Garden.

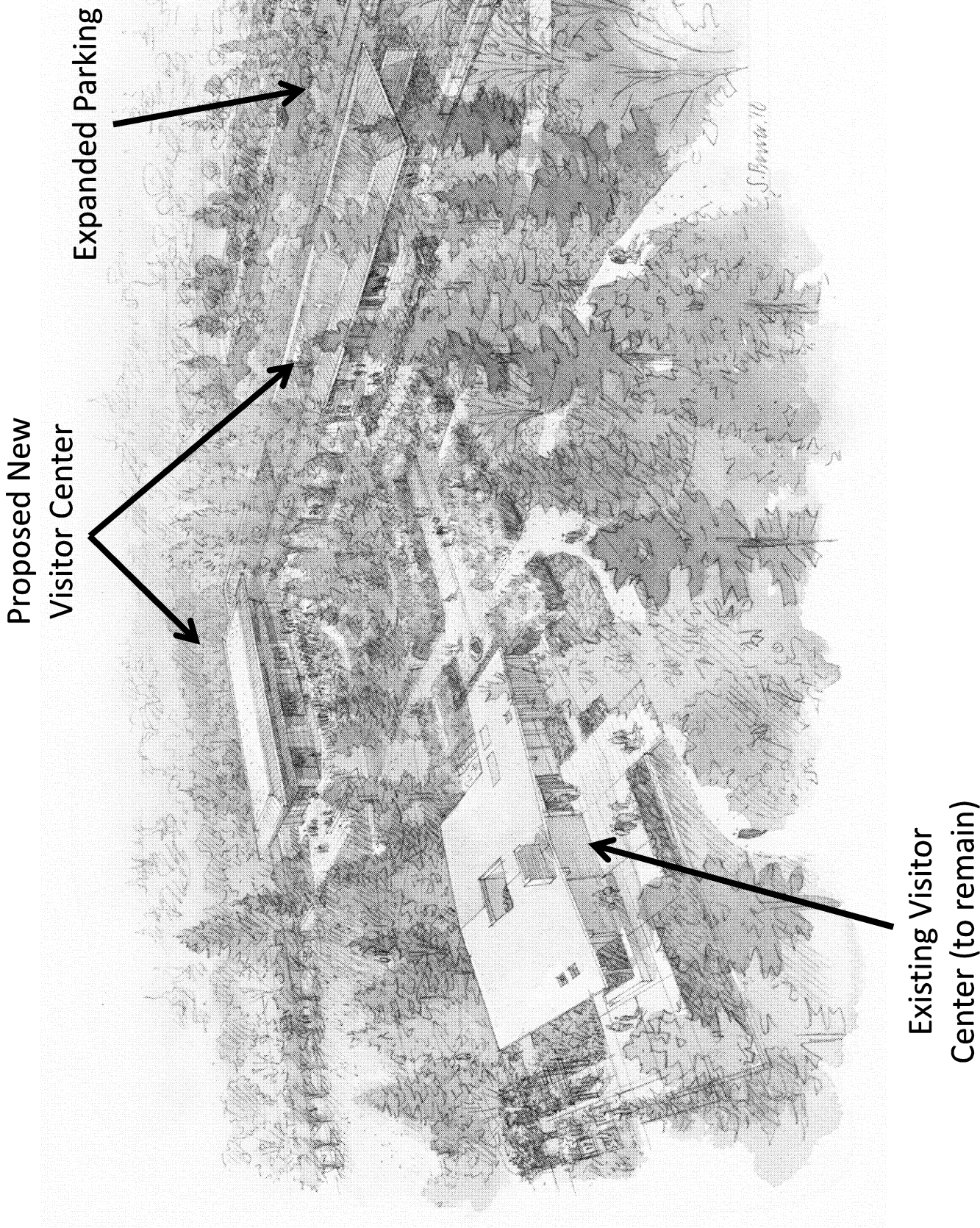
#### **ATTACHMENTS**

1. Visitor Center Site Plan
2. BBGS Fundraising Summary
3. Resolution No. 8528

Note: The 2013-2019 CIP project page for this project is not yet available. The proposed contract adheres to the project scope that Council approved for the 2013-2019 CIP. Funding for this project was approved including \$5M in 2013 and \$5M in 2014.

#### **AVAILABLE IN COUNCIL OFFICE**

Copy of contract





## BELLEVUE BOTANICAL GARDEN

February 15, 2013

Mr. Glenn Kost  
Parks and Community Services Department  
City of Bellevue  
Bellevue, WA 98004

Dear Glenn,

As requested, this letter provides updated information regarding funds raised by the Bellevue Botanical Garden Society (BBGS) for the "Growing a Living Legacy" campaign. As you know, in early 2009 the BBGS Board of Directors committed to raising \$5,000,000 for Master Plan improvements. Since then, board member terms have expired and new members have joined. At the May board meeting in 2012, we discussed the \$5,000,000 fundraising commitment and unanimously voted to reaffirm our commitment to raise the \$5,000,000—no matter how long it may take. We are still committed to this goal.

As of February 15<sup>th</sup>, 2013, the BBGS has raised a grand total of **\$3,866,499** in donations and multi-year pledges for the "Growing a Living Legacy" capital campaign. There have been nominal campaign expenditures incurred over the last four years paid out of the restricted campaign fund and we anticipate continued minor expenditures through 2013. The grand total of **\$3,866,499** also includes **\$144,498.95** that was dispersed to the City on November 15, 2011 for the Ravine Experience, completed spring of 2012, which is part of the overall campaign and Master Plan Improvements. At present virtually all pledges are current; we anticipate all pledges to be paid in full. Please see the attached spreadsheet detailing all pledges and payments to date restricted to the capital campaign.

As requested, an allocation between cash and not yet collected pledges follows.

	CASH RECEIVED	OUTSTANDING PLEDGES
Campaign Totals as of 2/15/13	\$2,414,730	\$1,451,769
Capital Campaign expenditures (actual plus reserve through EOY 2013)	(150,000)	
Ravine Experience payment to COB 11/15/11	<u>(144,499)</u>	
Cash Subtotal	\$2,120,231	
Less: CD Expiration 3/31/13	<u>(200,000)</u>	
Cash available for distribution to COB	\$1,920,231	
RD.	\$1,900,000	

NOTE: Of the \$1,900,000 distribution, \$488,501 should be credited toward the construction costs of the Ravine Experience, fulfilling the Society's \$633,000 total obligation per construction contract authorization documents approved by COB in 2011. The balance of the \$1,900,000 distribution (\$1,411,499) should be credited toward the Visitor/Education Center/Parking Lot construction.

BELLEVUE BOTANICAL GARDEN SOCIETY

a non-profit organization, P.O. Box 40536, Bellevue WA 98015-4536, Telephone 425.451.3755

The garden's location is 12001 MAIN STREET, BELLEVUE WA 98005

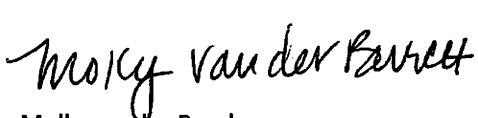
[www.bellevuebotanical.org](http://www.bellevuebotanical.org)

For your convenience, the following is a list major multi-year donors with respective pledge amounts to be paid over time.

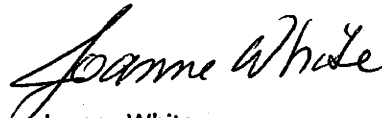
	<u>CASH RECEIVED</u>	<u>OUTSTANDING PLEDGES</u>
<b>Major Donations/Multi-Year Pledges</b>		
Bellevue Botanical Garden Society	\$ 200,000	\$800,000
The PJA Foundation	\$ 206,000	\$300,000
The Tateuchi Foundation	\$ 80,000	\$120,000
Norcliffe Foundation	---	\$200,000
Cumulative Other	\$1,928,730	\$ 31,769

The Bellevue Botanical Garden is a treasure in the heart of Bellevue. The BBGS is honored to have worked in partnership with the City in developing this wonderful place. All Directors of the Society have made financial commitments to this campaign and enthusiastically support "*Growing a Living Legacy*". We are looking forward to continued collaboration with the City both for planning and funding improvements to enhance the Bellevue Botanical Garden...a legacy for future generations to enjoy.

Sincerely,



Molly van der Burch  
Co-president



Joanne White  
Co-president

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8528

A RESOLUTION authorizing execution of a Contract with Cornerstone General Contractors, Inc., in the amount of \$9,358,578, to construct the Visitor Center and site improvements at the Bellevue Botanical Garden (BBG).

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES  
RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute a Contract with Cornerstone General Contractors, Inc., in the amount of \$9,358,578, to construct the Visitor Center and site improvements at the Bellevue Botanical Garden (BBG), a copy of which contract has been given Clerk's Receiving No. \_\_\_\_\_.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013,  
and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_,  
2013.

(SEAL)

\_\_\_\_\_  
Conrad Lee, Mayor

Attest:

\_\_\_\_\_  
Myrna L. Basich, City Clerk